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Date of Signature

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Carl R. Schwartz, Reg. No. 29,437

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 22 2000

TECH CENTER 1600/2900

Applicant: James A. Thomson  
Serial No.: 09/106,390  
Filed: June 26, 1998  
Title: PRIMATE EMBRYONIC STEM CELLS  
Art Unit: 1633  
Examiner: Deborah Clark

Assistant Commissioner For Patents  
Washington, D.C. 20231  
Attn: Box AF

Dear Sir:

In response to the January 14, 2000 Office Action in the above-described case, please enter the following:

Remarks After Final and Interview Summary

On March 6, 2000 a telephone interview regarding this application was held. Participating were the undersigned, Examiner Deborah Clark and SPE John LeGuyader. The only remaining issue in the case is a § 112 enablement rejection. This rejection was discussed in the interview.

The Office Action acknowledged that Applicant had developed pluripotent human embryonic cells capable of differentiation into derivatives of all three embryonic germ layers cells. The only remaining issue therefore was whether in the context of "human embryonic stem cells" there must be a showing of germ-line-competence in order to confirm enablement.

Applicant contends that the rejection should be withdrawn because (a) the term "embryonic stem cell" was initially coined (and is still widely accepted) without reference to germ-line-competency in context of mouse embryos; (b) the term "human embryonic stem cells" was coined by the inventor in this case (Jamie Thomson) in the context of human embryonic stem cells, with the acceptance of the publication review process at Science and without reference to germ-line-